

Claim 1 recites that “data is communicated between the first and second stations according to the multimedia call service option without passing through an Inter-Working Function (IWF) or a Packet Data Serving Node (PDSN).” Through these features, the invention may, for example, transmit and receive multimedia data including video data between originating and receiving mobile stations without using an interworking function (IWF) or a packet data serving node (PDSN). The Tervo publication and Rasanen patent do not teach or suggest these features, whether taken alone or in combination.

The Tervo publication discloses communicating video data from mobile stations, MS1 and MS2 through channels that include RC1 and RC3. (See Figure 1). In the Office Action, the Examiner appeared to assert that these channels correspond to the above-quoted features of claim 1, because RC1 and RC3 serve as connections which do not pass through an IWF or PSDN. However, Applicants respectfully submit that this is an improper reading of Tervo.

In Figure 1, the Tervo publication merely shows that mobile stations MS1 and MS2 may communicate with a base transceiver station (BTS1) through respective radio channels. Figure 1 does not show how the mobile stations communicate with each other, and certainly do not show that such communications take place without passing through an IWF or PSDN as recited in claim 1. Related portions of the Tervo disclosure corresponding to Figure 1 also omit a teaching or suggestion of these claimed features. See page 3: lines 1-10, page 9, line 26 - page 11, line 16. Figures 4 also fails to supply a teaching or suggestion of the features of claim 1 mentioned above.

With reference to Figure 1, Tervo does describe the signal path used to communicate video data between two mobile stations, MS1 and MS2. This path is expressed as follows:

MS1 → BTS1 → BSC1 → MSC1 → PSTN → Server → PSTN → BSC1 → BTS2 → MS2

See pages 9-13. The signal path provided above, therefore, shows that video data communicated between MS1 and MS2 passes through a PLMN. (See page 24, lines 24-33). This PLMN comprises MS1-MS4, BTS1-BTS3, BSC1-BSC2, MSC1-MSC2, VLR, HLR, SGSN1 and GGSN. (See page 12, lines 16 - page 13, line 14, and pages 22-24 and 26). As those skilled in the art can appreciate, an SGSN and a GGSN correspond to a type of interworking function (IWF) or PSDN. Accordingly, the Tervo publication teaches directly away from the invention, i.e., Tervo discloses transmitting video data through an IWF or PSDN which is directly contrary to the features recited in claim 1.

The Rasanen and Knuutila patents also fail to disclose communicating data “between the first and second stations according to the multimedia call service option without passing through an Inter-Working Function (IWF) or a Packet Data Serving Node (PDSN).” Absent a teaching or suggest of these features, it is respectfully submitted that the Rasanen and Knuutila patents do not make up for the deficiencies of the Tervo publication with respect to claim 1. Accordingly, Applicants submit that claim 1 and its dependent claims are allowable over the cited combination.

Claims 7, 9-15, 21, 22, 27, 29, and 30 were rejected under 35 USC § 103(a) for being obvious in view of a Tervo-Rasanen combination. As noted above, the Tervo publication and Rasanen patent fail to individually or collectively teach or suggest "transmitting and receiving video data between the originating and receiving mobile stations without using an interworking function (IWF) or a packet data serving node (PDSN)." (Emphasis added). Accordingly, it is respectfully submitted that claim 7 and its dependent claims are allowable. Claim 21 and its dependent claims are allowable for similar reasons.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of the application is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR § 1.136. Please charge any shortage in fees due in connection with this application to Deposit Account No. 16-0607 and credit any excess fees to the same Deposit Account.

Respectfully submitted,
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